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Attorneys for Defendant TV Guide Magazine, LLC

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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**ETAGZ, INC.**

Plaintiff,

v.

**FLAMBEAU, INC.**, a Wisconsin Corporation,  
and **TV GUIDE MAGAZINE, LLC**, a  
Delaware Limited Liability Company

Defendants.

**TV GUIDE MAGAZINE, LLC'S  
MOTION FOR SUMMARY JUDGMENT  
OF NON-INFRINGEMENT**

Civil No.: 2:10-cv-00240-BSJ

U.S. District Court Judge Bruce S. Jenkins

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Pursuant to Rule 56 of the Federal Rules of Civil Procedure and 56-1 of the Local Rules of Practice, Defendant TV Guide, Inc. hereby moves this Court for a finding that United States Patent No. 6,298,332 is not infringed<sup>1</sup>

This Motion is supported by the Memorandum of Law and the Declarations of H. Dickson Burton and Stephen J. Kain filed herewith.

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<sup>1</sup> TV Guide is bringing this Motion for Summary Judgment at this time on the limited issue of non-infringement on the grounds asserted in the supporting memorandum submitted herewith. Should this motion be denied, TV Guide expressly reserves the right to later seek summary judgment on other grounds it has asserted including patent invalidity, and other grounds for non-infringement that may be applicable.

DATED this 1st day of February, 2012.

/s/ H. Dickson Burton  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 1<sup>st</sup> day of February, 2012, a true and correct copy of the foregoing was served upon the following via the Court's ECF System:

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